

3 June 2024

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Mr Scott Greenow
A/ Executive Director Freight
Regional and Outer Metropolitan
Transport for NSW

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Dear Mr Greenow

Scott

NHVR submission in response to *Freight Policy Reform Consultation Paper* and draft *NSW Heavy Vehicle Access Policy: Safe, Productive and Sustainable Road Freight*

The National Heavy Vehicle Regulator (NHVR) appreciates the opportunity to provide feedback on Transport for New South Wales' (TfNSW) *Freight Policy Reform Consultation Paper* (the Reform Paper) and the draft *NSW Heavy Vehicle Access Policy: Safe, Productive and Sustainable Road Freight* (draft Access Policy).

Both documents appropriately recognise the scale, diversity and immediacy of freight challenges and serve as solid foundations for formulating and implementing meaningful and achievable initiatives.

Thank you for the recent opportunity to meet with the Panel for the Freight Policy Reform Consultation Paper and share the NHVR's views on key initiatives that will support reform, both in NSW and nationally. I would be happy to meet with you to discuss these initiatives and the items addressed in this submission.

More specifically, the NHVR commends TfNSW for the range of important heavy vehicle related initiatives that have already been implemented in recent times. Significant improvements in road infrastructure have enabled AB-triple access along the Newell Highway and accelerated the uptake of Performance Based Standards (PBS) vehicles under a network of notices. We also recognise that TfNSW has also offered the most generous mass and dimension exemptions nationally for heavy agricultural and electric vehicles.

The NHVR is encouraged that this positive approach is reflected in the draft Access Policy's five policy pillars. We believe the draft Access Policy reflects the right balance between the often-competing needs of asset preservation and asset optimisation, and appropriately acknowledges the benefits of shifting the fleet to safer, more sustainable and more productive vehicles.

We are also encouraged to see strong parallels between the Access Policy and the approach the NHVR is taking to develop a revised National Heavy Vehicle Productivity Plan (HVPP 2.0).

The following are some more detailed comments for your consideration.

- **Pillar 2 Innovative Vehicles** – it is encouraging that the important role of PBS vehicles in achieving safety, productivity and sustainability outcomes is reflected in both the draft Policy Reform and draft Access Policy papers. The development of template vehicles associated with clear access arrangements is particularly welcomed as a means of reducing the time, cost and risk for industry to invest in PBS vehicles. As noted below, this strategy would have even greater benefit if there is work undertaken to develop road networks across jurisdictional boundaries.
- **Pillar 4 Telematics and Data** – it is agreed that telematics provides excellent opportunities to manage heavy vehicle access and improve safety. It is also worth noting that there are impediments within the Heavy Vehicle National Law (HVNL) to imposing general telematics conditions. Chapter 7 of the HVNL requires that telematics can only be used for monitoring if industry is provided access, or improved access, that they would not normally have been provided without monitoring. I believe this is an area where TfNSW and the NHVR can work together to achieve effective outcomes.
- **Rail crossings** – rail level crossings are a significant impediment to road freight productivity and present an ongoing safety risk. We feel this issue could be explored further in the Access Policy, including in reference to work already underway around this issue via Austroads.
- **'Freight Outcomes: Safety'** – while both the papers have strong safety components, it would be beneficial to identify the national 'Vision Zero' commitment in the Reform Paper.
- **National outcomes** – while it is recognised that TfNSW can only control its own policy settings, we believe the draft Access Policy document could acknowledge the challenges for industry of differing jurisdictional requirements and capture initiatives to respond to such issues. As many freight movements start or end outside NSW, there is a clear need for better coordination and harmonisation of access across jurisdictions. Concerted effort from all parties will be needed to address this problem.
- **PBS reforms** – the importance of PBS vehicles is clearly recognised in the papers. While the development of templates and associated access arrangements is encouraged, we believe this should be an interim measure until meaningful reform of the PBS scheme is achieved. As you are aware, the NHVR has released a 'Removing Roadblocks to Reform' Paper which calls for, among other things, meaningful change to the HVNL to provide a non-PBS pathway for tried and tested PBS designs to operate on the road network. The NHVR would welcome TfNSW support of these challenges in both the draft Policy Reform and draft Access Policy paper and the NHVR's efforts to achieve timely changes to the national law.

The feedback provided in this submission is offered to assist TfNSW in developing more robust final versions of both documents. Furthermore, I anticipate continued constructive collaboration between the NHVR and TfNSW on our HVPP 2.0 throughout 2024.

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Yours sincerely

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Sal Petrocchio OAM
Chief Executive Officer